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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/555,092	11/02/2005	Daisuke Kanenari	OGW-0398	9356

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EXAMINER	
KNABLE, GEOFFREY L	

ART UNIT	PAPER NUMBER
1791	

MAIL DATE	DELIVERY MODE
03/03/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/555,092	KANENARI, DAISUKE	
	Examiner	Art Unit	
	Geoffrey L. Knable	1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 December 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,7 and 8* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,7 and 8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/19/2008 has been entered.

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1, 2, 7 and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 3, "winding *in* bobbins" is indefinite and confusing. It is suggested that "in bobbins" be changed to "around bobbins" or "about bobbins" for clarity and consistency with the original disclosure. An analogous issue is present in claim 1, line 6 with the reference to films rolled "in bobbins" - it is suggested the same change be made for clarity and consistency with the original disclosure.

In claim 1, line 13, reference is made to "forming one type of rolled body" for each diameter. It however is not clear which winding step forms these "rolled bodies" as this term is not used previously in the claim while there are plural winding steps that presumably could form rolled bodies. Clarification is required of which step forms the rolled body (it is assumed from the context used in the claim that the rolled body is formed by the second winding step but clarification is required.

In claim 1, lines 21-22 refer to "when the tire measurements are changed, cutting..." but it is not clear whether this forms a positive method step/requirement in the claim, especially since the claim seems to only require feeding a single tire component. In other words, as presently phrased, it is not clear if the claim requires one cutting step or two cutting steps, the scope of the claim therefore not being readily ascertainable.

4. Claims 1, 2, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaido et al. (US 5,938,869) taken in view of at least one of [Martin et al. (US 4,261,786) and Klose et al. (US 5,135,601)] and at least one of [Hashimura et al. (US 2002/0033557) and Kaido et al. (US 6,136,123)] and further in view of JP 2002-103471 to Bridgestone.

These references are applied for substantially the same reasons as set forth in the last office action although JP '471 is no longer optionally applied.

In particular, as noted in the previous office actions, Kaido et al. '869 discloses winding a cylindrical/tubular film on a roll and later unwinding the tubular film from the roll and cutting to an appropriate width and then feeding to a tire building machine/drum (esp. col. 8, lines 40-64). Further, Kaido et al. '869 indicates that the film can be a thermoplastic elastomer obtained by blending a thermoplastic resin and rubber (e.g. col. 4, lines 28+) as well as that bonding between the film and the adjacent rubber layer may be achieved using an adhesive (col. 6, lines 26-32). Specifics of how the adhesive is to be applied are not however given. It would however have been obvious to apply the adhesive by coating in view of Hashimura et al. and Kaido et al. '123 (as detailed in the last office actions) which suggest suitable and effective application of the adhesive in a

very similar system includes coating by various methods including dip coating. As to when the coating is actually effected (now part of claim 1) relative to winding/unwinding, it would have been obvious to conduct the coating operation by unwinding, dip coating, drying and then rewinding in view of JP '471 which shows such unwinding/coating/drying/rewinding processing to coat a tubular film (12) used in a tire inner liner (esp. fig. 2), this providing the self-evident benefit of allowing flexibility in terms of the time and location of when/where the coating operation takes place. Only the expected and predictable results would therefore have been achieved.

It is also noted again that in view of the Martin et al. and Klose et al. teachings detailed in the last office action, and in order to provide for building of different size tires, it would have been obvious to the ordinary artisan to store the various size components in the rolls and supply the necessary component rolls to servicers, where the component would be unwound and applied to the tire building machine. Only the expected and predictable results would have been achieved.

5. Applicant's arguments filed 12/19/2008 have been fully considered but they are not persuasive.

It is first argued that it is desirable to apply the adhesive only on the outer surface of the film. This argument has been considered but in view of Kaido et al. '869, as well as Kaido et al. '123 and Hashimura et al., it is apparent that the ordinary artisan understands that the adhesive is applied to the film type innerliner layer to enhance its adhesive to the subsequently applied components. In other words, since the film is the innermost layer and the desired bonding is to the subsequently applied layer (typically

the carcass), application on only the outside is suggested and would be the only surface for which the adhesive would have any function.

It is also argued that rolling up the tubular film prior to dip coating provides advantages in terms of eliminating air. These arguments have been carefully considered but JP '471 is also directed to dip coating a tubular film material (12) and suggests a suitable and effective manner of dip coating such a tubular film is to unwind the tubular film and to then dip the unwound tubular film followed by drying and winding again (fig. 2). Again, this would provide the self-evident benefit of allowing flexibility in terms of the time and location of when/where the coating operation takes place. Only the expected and predictable results would therefore have been achieved.

It is also argued that JP '471 is not suggesting coating with adhesive. While the coating in JP '471 may not technically be an adhesive, it is still directed to the problem of dip coating a tubular film based material that is to be used in a tire innerliner and thus would have been instructive to the ordinary artisan desiring to dip coat the adhesive of on the tubular film of Kaido '869 (it being obvious to dip coat the tubular film type liner of Kaido et al '869 in view of the secondary references as already noted).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Geoffrey L. Knable whose telephone number is 571-272-1220. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on 571-272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Geoffrey L. Knable/
Primary Examiner, Art Unit 1791

G. Knable
February 28, 2009